

## 166th District Court

## Case Summary

Case No. 2021CI15407

Michel Silva Barnes VS COR Partners, Inc. ET AL

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§  
§Location: 166th District Court  
Judicial Officer: 166th, District Court  
Filed on: 07/30/2021

## Case Information

Case Type: MOTOR VEHICLE  
ACCIDENT

Case Status: 07/30/2021 Pending

## Assignment Information

## Current Case Assignment

Case Number 2021CI15407  
Court 166th District Court  
Date Assigned 07/30/2021  
Judicial Officer 166th, District Court

## Party Information

## Lead Attorneys

Plaintiff Silva Barnes, Michel WILSON, MARY IRWIN  
RetainedDefendant COR Partners, Inc.  
Stephens Miller, Wesley

## Events and Orders of the Court

07/30/2021 New Cases Filed (OCA)  
07/30/2021 PETITION  
07/30/2021 JURY FEE PAID  
08/20/2021 Citation  
COR Partners, Inc.  
Served: 08/27/2021  
Stephens Miller, Wesley  
Served: 08/28/2021  
08/31/2021 RETURN OF SERVICE - SUCCESSFUL  
COR PARTNERS INC.  
08/31/2021 RETURN OF SERVICE - SUCCESSFUL  
WESLEY STEPHENS MILLER



**Service of Process  
Transmittal**

08/27/2021

CT Log Number 540152636

**TO:** Jennifer May, Paralegal  
Barry-Wehmiller Company  
8020 FORSYTH BLVD  
SAINT LOUIS, MO 63105-1707

**RE: Process Served in Texas**

**FOR:** Cor Partners, Inc. (Domestic State: MO)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

<b>TITLE OF ACTION:</b>	Michael Silva Barnes, Pltf. vs. Cor Partners, Inc. and Wesley Stephens Miller, Dfts.
<b>DOCUMENT(S) SERVED:</b>	--
<b>COURT/AGENCY:</b>	None Specified Case # 2021CI15407
<b>NATURE OF ACTION:</b>	Personal Injury - Vehicle Collision
<b>ON WHOM PROCESS WAS SERVED:</b>	C T Corporation System, Dallas, TX
<b>DATE AND HOUR OF SERVICE:</b>	By Process Server on 08/27/2021 at 01:21
<b>JURISDICTION SERVED :</b>	Texas
<b>APPEARANCE OR ANSWER DUE:</b>	None Specified
<b>ATTORNEY(S) / SENDER(S):</b>	None Specified
<b>ACTION ITEMS:</b>	SOP Papers with Transmittal, via UPS Next Day Air , 1ZX212780127758082
<b>REGISTERED AGENT ADDRESS:</b>	C T Corporation System 1999 Bryan Street Suite 900 Dallas, TX 75201 866-331-2303 CentralTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



## PROCESS SERVER DELIVERY DETAILS

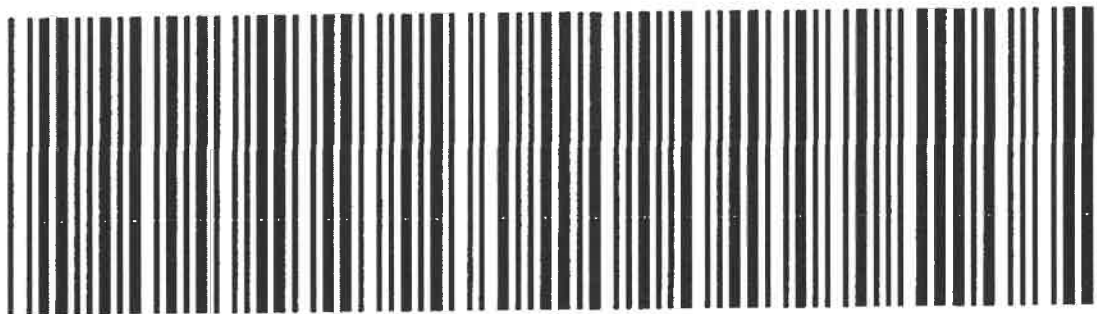
**Date:** Fri, Aug 27, 2021

**Server Name:** Carlos Barrera

**Entity Served** COR PARTNERS, INC.

**Case Number** 2021CI15407

**Jurisdiction** TX



8-27-21 1:00PM

PRIVATE PROCESS

Case Number: 2021CI15407

Michel Silva Barnes VS COR Partners, Inc. ET AL  
(Note: Attached Document May Contain Additional Litigants)

IN THE 166TH DISTRICT COURT  
BEXAR COUNTY, TEXAS

**CITATION**

"THE STATE OF TEXAS"

Directed To: **COR Partners, Inc.**  
**BY SERVING ITS REGISTERED AGENT CT CORPORATION SYSTEM**

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00am on the Monday next following the expiration of twenty days after you were served this CITATION and PETITION a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org" Said **PLAINTIFF'S ORIGINAL PETITION** was filed on the 30th day of July, 2021.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT on this the 20th day of August, 2021.

**MARY IRWIN WILSON**  
**ATTORNEY FOR PLAINTIFF**  
**630 BROADWAY**  
**SAN ANTONIO TX 78215-1822**



**Mary Angie Garcia**  
**Bexar County District Clerk**  
**101 W. Nueva, Suite 217**  
**San Antonio, Texas 78205**

**By: /s/ Jason Pastrano**  
**Jason Pastrano, Deputy**

MICHEL SILVA BARNES VS COR PARTNERS, INC. ET AL

Case Number: 2021CI15407  
166th District Court

**Officer's Return**

I received this CITATION on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M. and ( ) executed it by delivering a copy of the CITATION with attached PLAINTIFF'S ORIGINAL PETITION the date of delivery endorsed on it to the defendant \_\_\_\_\_ in person on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M. at \_\_\_\_\_ or ( ) not executed because \_\_\_\_\_

Fees: \_\_\_\_\_ Badge/PPS #: \_\_\_\_\_ Date certification expires: \_\_\_\_\_

\_\_\_\_\_, County, Texas  
BY: \_\_\_\_\_

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO THIS \_\_\_\_\_

**NOTARY PUBLIC, STATE OF TEXAS**

OR: My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_  
\_\_\_\_\_, County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.

Declarant

FILED  
7/30/2021 4:20 PM  
Mary Angie Garcia  
Bexar County District Clerk  
Accepted By: Martha Medellin

**2021CI15407**

CAUSE NO. \_\_\_\_\_

**MICHEL SILVA BARNES,**  
*Plaintiff,*

**V.**

**COR PARTNERS, INC. and**  
**WESLEY STEPHENS MILLER,**  
*Defendants.*

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**IN THE DISTRICT COURT**

Bexar County - 166th District Court

**JUDICIAL DISTRICT**

**BEXAR COUNTY, TEXAS**

**PLAINTIFF'S ORIGINAL PETITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

NOW COMES Plaintiff, MICHEL SILVA BARNES complaining of and about Defendants COR PARTNERS, INC. and WESLEY STEPHENS MILLER, and for cause of action, would respectfully show unto the Court as follows:

**I.**

**Discovery Level**

Plaintiff intends to conduct discovery under Level 3 pursuant to Rule 190.4 of the Texas Rules of Civil Procedure.

**II.**

**Parties**

Plaintiff is an individual who resides in San Antonio, Bexar County, Texas, with TDL XXXXX027 and SSN XXX-XX-7152.

Defendant WESLEY STEPHENS MILLER is an individual who resides in Savannah Georgia and may be served with process at his home address of 5553 Vann Drive, Savannah GA 31405. **Service of process is requested at this time.**

Defendant COR PARTNERS, INC. is a business located in Texas, and is in fact doing business within the State of Texas and may be served with process by serving its registered agent for

service of process CT Corporation System, 1999 Bryan Street, Suite 900k Dallas, Texas 75101. **Service of process is requested at this time.**

### **III.**

#### **Jurisdiction and Venue**

The subject matter and amount in controversy are within the jurisdictional limits of this court. Venue is proper in Bexar County, Texas pursuant to Section 15.001 of the Texas Civil Practice and Remedies Code inasmuch as all or a substantial part of the events made the basis of this lawsuit occurred in Bexar County.

### **IV.**

#### **Facts**

On or about March 10, 2021 Plaintiff MICHEL SILVA BARNES was driving in a generally eastbound direction on Loop 410 in San Antonio, Texas near the Nacogdoches Road exit, when suddenly and without warning the Defendant WESLEY STEPHENS MILLER, driving a 2020 Jeep Gladiator sports utility vehicle improperly crossed into Plaintiff's lane of travel, side-swiping the right side of Plaintiff's vehicle. The forces of impact caused serious and permanent physical injuries and damages to Plaintiff's cervical spine, lumbar spine and body generally. Plaintiff believes, alleges, and intends to prove at trial that the Defendant WESLEY STEPHENS MILLER, acting within the course and scope of his actual, apparent, or statutory employment, and in furtherance of the business of Defendant COR PARTNERS, INC was negligent in the operation of his motor vehicle which directly and proximately caused the collision in question and the resulting injuries and damages sustained by Plaintiff. Plaintiff seeks recovery for those personal injuries and damages as more particularly set forth below.

### **V.**

#### **Causes of Action for Negligence**

At the time and on the occasion in question, the Defendant WESLEY STEPHENS MILLER failed to operate his vehicle as a reasonably prudent driver would do under the same or similar circumstances, which directly and proximately caused harm to Plaintiff, as more

particularly set forth herein below. Such negligence included, but is not limited to the following acts and/or omissions:

- (1) Failing to keep a proper lookout;
- (2) Operating his vehicle at an excessive rate of speed;
- (3) Failing to maintain a proper lane of travel;
- (4) Failing to yield right of way to merging traffic;
- (5) Failing to take proper evasive actions to avoid colliding with Plaintiff's motor vehicle;
- (6) Driving while inattentive and/or distracted.

Each and all of the above and foregoing actions and/or omissions of negligence were a direct and proximate cause of injuries and damages to Plaintiff.

## **VI.**

### **Damages**

As a result of the negligence of Defendant WESLEY STEPHENS MILLER, acting by and on behalf of the Defendant COR PARTNERS, INC. Plaintiff has been severely injured and damaged. Plaintiff seeks recovery of the following elements of damages from Defendant:

1. Physical pain and suffering, past and future;
2. Mental and emotional pain and anguish, past and future;
3. Physical impairment, past and future;
4. Physical disfigurement, past and future;
5. Medical, therapy, and medication expenses incurred, past and future;
6. Loss of earning and loss of earning capacity, past and future.

The above described acts, omissions, failures and conduct of the Defendant taken singularly or collectively, has caused this Plaintiff's damages which include, without limitation, for the personal injuries she has sustained in the subject collision. The damages described in this petition are within the jurisdictional limits of the court. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Plaintiff believes, alleges, and intends to prove her damages are in the amount of \$250,000 but not in excess of \$1,000,000.

**VII.**

**JURY DEMAND**

Plaintiff hereby makes demand for a jury trial and tenders the appropriate fee.

**VIII.**

**TRCP RULE 193.7 NOTICE**

Plaintiff hereby give the Defendants notice that all documents exchanged in written discovery herein shall be deemed to be self-authenticated at the time of trial.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff MICHEL SILVA BARNES requests a trial by jury and prays that the Court enter judgment for Plaintiff of and from the Defendants in the just and reasonable sum as above prayed for, together with pre-judgment interest at the legal rate, and interest on said judgment at the legal rate from the date that it is entered, costs of court, reasonable attorneys' fees through trial and appeal, if necessary, and for such other and further relief, both general and special, at law or in equity, to which Plaintiff may show herself to be justly entitled.



Respectfully submitted,

By: /s/ Mary Wilson  
Mary Wilson, Of Counsel  
CARABIN SHAW  
[mwilson@carabinshaw.com](mailto:mwilson@carabinshaw.com)  
State Bar No. 21704570  
630 Broadway  
San Antonio, Texas 78215  
Tel: (210) 222-2288  
Fax: (210) 221-1536  
**ATTORNEY FOR PLAINTIFF**

and  
James. M. Shaw  
CARABIN SHAW  
[jshaw@carabinshaw.com](mailto:jshaw@carabinshaw.com)  
State Bar No. 00784955  
630 Broadway  
San Antonio, Texas 78215  
Tel: (210) 222-2288  
Fax: (210) 222-1480  
**ATTORNEY FOR PLAINTIFF**



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IN THE 166TH DISTRICT COURT  
BEXAR COUNTY, TEXAS

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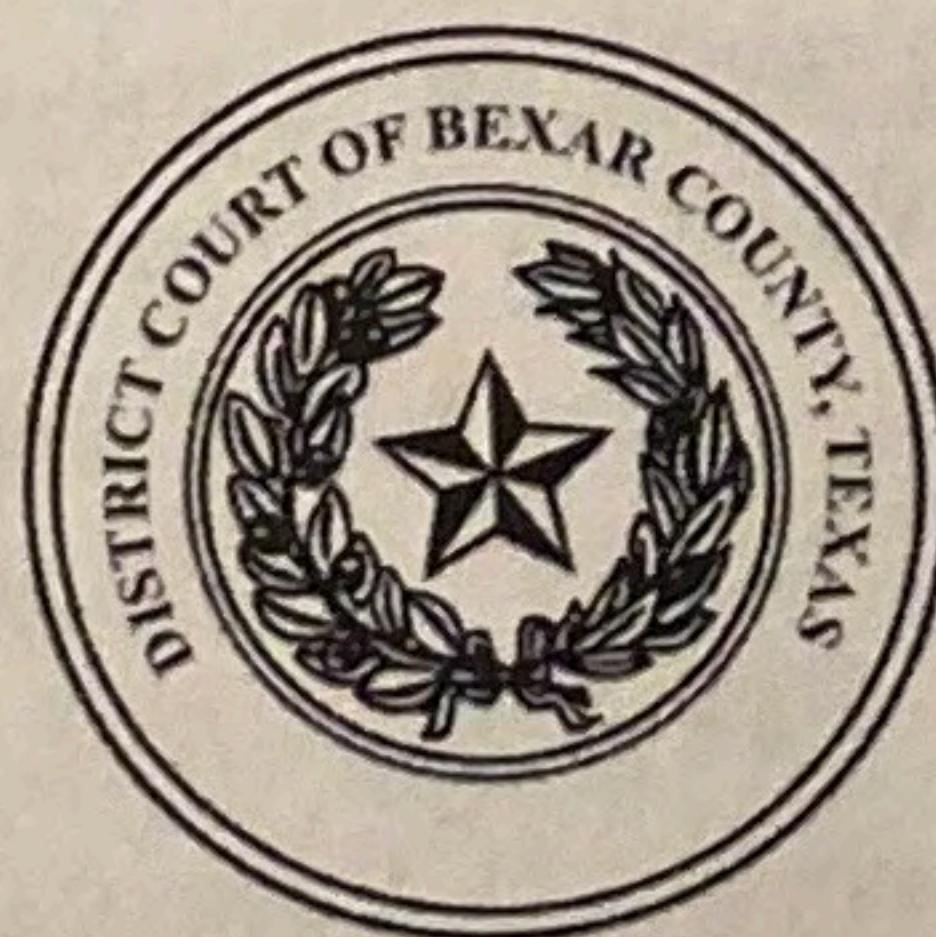
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Directed To: **WESLEY STEPHENS MILLER**

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MARY IRWIN WILSON  
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630 BROADWAY  
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Mary Angie Garcia  
Bexar County District Clerk  
101 W. Nueva, Suite 217  
San Antonio, Texas 78205

By: /s/ Jason Pastrano  
Jason Pastrano, Deputy

MICHEL SILVA BARNES VS COR PARTNERS, INC. ET AL

Case Number: 2021CI15407  
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NOTARY PUBLIC, STATE OF TEXAS

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I declare under penalty of perjury that the foregoing is true and correct. Executed in \_\_\_\_\_ County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.

\_\_\_\_\_  
Declarant